IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WARMINSTER EQUITIES, LLC :

CIVIL ACTION

Plaintiff,

.

v.

•

WARMINSTER COMMERCE, LLC

NO. 10-520

Defendant.

WARMINSTER COMMERCE, LLC

Counterclaim/Third-Party Plaintiff,

:

v.

WARMINSTER EQUITIES, LLC

:

Counterclaim Defendant

:

and

:

ABINGTON SAVINGS BANK

:

Third-Party Defendant

ORDER

AND NOW, this *21st* day of *December*, 2010, upon consideration of Defendant Warminster Commerce, LLC's Motion for Summary Judgment (Docket No. 31), Plaintiff Warminster Equities LLC's Memorandum in Opposition (Docket No. 34), Defendant's Reply (Docket No. 35), and Plaintiff's Sur-reply (Docket No. 36), it is hereby **ORDERED** that Defendant's Motion for Summary Judgment is **GRANTED**.

JUDGMENT IS ENTERED in favor of Defendant and against Plaintiff on the entirety of Plaintiff's Complaint. This case remains open with respect to Defendant's Counterclaim against Plaintiff and Third-Party Complaint against Third-Party Defendant Abington Savings Bank.

BY THE COURT:

s/Ronald L. Buckwalter

RONALD L. BUCKWALTER, S.J.